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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,577	01/09/2002	James E. Coffman	401016-A-01-US (Coffman)	6587
7590	07/29/2004		EXAMINER	
John C. Moran Attorney, P.C. 4120 E. 115th Place Thornton, CO 80233				BUI, BING Q
		ART UNIT	PAPER NUMBER	2642

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

	Application No.	Applicant(s)
	10/042,577	COFFMAN ET AL.
	Examiner Bing Q Bui	Art Unit 2642

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### **Status**

1) Responsive to communication(s) filed on 09 January 2002.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### **Disposition of Claims**

4) Claim(s) 1-10 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-10 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### **Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 09 January 2002 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### **Attachment(s)**

<p>1)<input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2)<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3)<input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date #2.</p>	<p>4)<input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.</p> <p>5)<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6)<input type="checkbox"/> Other: _____.</p>
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## DETAILED ACTION

1. Claims 1-10 are pending in the application for examination.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Weinman, Jr (US Pat No. 6,453,022).

Regarding claim 1, referring to Figure 1, Weinman, Jr. teaches a method for controlling a conference call of a plurality of communication terminals (e.g., telephones "110", "130" and "135"), comprising the steps of:

displaying on a first one (e.g., telephone "110") of the plurality of communication terminals an identity of a second (e.g., telephones "130" or "135"), one of the plurality of communication terminals in response to a first signal from the first one (e.g., selecting button "305" or "410" by user of telephone "110") of the plurality of communication terminals (see column "305" or "410" in Figs 3-4; and col. 4, Ins 45 – 51; and col. 7, Ins 11 – 22);

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disabling (e.g., muting) audio information received from the second one (e.g., telephones "130" or "135") of the plurality of communication terminals on the conference call in response to a second signal from the first one (e.g., depressing mute button "315" or "425" by user of telephone "110") of the plurality of communication terminals (see column "315" or "425" in Figs 3-4; and col. 5, Ins 9 - 18); and

enabling the audio information from the second one (e.g., telephones "130" or "135") of the plurality of communication terminals received from the second one (e.g., telephones "130" or "135") of the plurality of communication terminals on the conference call in response to a third signal from the second one of the plurality of communication terminals (see column "315" or "425" in Figs 3-4; and col. 5, Ins 9 - 18).

Regarding claim 2, Weinman, Jr. teaches the method of claim 1 wherein the step of disabling comprises the step of re-enabling the second one of the plurality of communication terminals on the conference call in response to another second signal from the first one of the plurality of communication terminals while the identity of the second one of the plurality of communication terminals is displayed on the first one of the plurality of communication terminals (see column "315" or "425" in Figs 3-4; and col. 5, Ins 9 - 18).

Regarding claim 3, Weinman, Jr. teaches the method of claim 1 wherein the step of displaying on the first one of the plurality of communications terminals comprises the step of displaying a third one of the plurality of communication terminals in response to another first signal from the one of the plurality of communication terminals (see column "305" or "410" in Figs 3-4; and col. 4, Ins 45 – 51; and col. 7, Ins 11 – 22).

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Regarding claim 4, Weinman, Jr. teaches the method of claim 3 wherein the step of disabling comprises the step of disabling audio information received from the third one of the plurality of communication terminals on the conference call in response to another second signal from the first one of the plurality of communication terminals while the identity of third one of the plurality of communication terminals is displayed on the first one of the plurality of communication terminals (see column "315" or "425" in Figs 3-4; and col. 5, Ins 9 - 18)..

Regarding claim 5, Weinman, Jr. teaches the method of claim 4 wherein the step of enabling comprises re-enable the audio information from the third one of the plurality of communication terminals received from the second one of the plurality of communication terminals on the conference call in response to another third signal from the third one of the plurality of communication terminals (see column "315" or "425" in Figs 3-4; and col. 5, Ins 9 - 18).

As to claims 6-10, they are rejected for the same reasons set forth to rejecting claims 1- 5 above, since claims 6-10 are merely a system for implementing the method defined in the method claims 1-5.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art in general:

U.S. Pat. No. 5,195,086

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U.S. Pat. No. 5,619,561

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (703) 308-5858. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 and for formal communications intended for entry (please label the response

**EXPEDITED PROCEDURE** ) or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Paper Number : 3  
Jul / 23 / 2004

  
**BING Q. BUI**  
**PRIMARY EXAMINER**